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SEP 2 4 2004

PTO/SB/30 (09-03)
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Request

Application Number 10/005,876

for Continued Examination (RCE) Transmittal

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to to respond to a conection of informa	tion uniess it contains a valid Olyla Control number.
Application Number	10/005,876
Filing Date	December 7, 2001
First Named Inventor	Jonathan CHESNUT
Art Unit	1636
Examiner Name	Ketter, J.S.
Attorney Docket Number	0942.5340002/RWE/BJD/JKM

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114 Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).										
a.	Previously submitted. If a final Office action is outstanding, any amend considered as a submission even if this box is not checked.	Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.								
	Consider the arguments in the Appeal Brief or Rely Brief previously filed on									
	ii. U Other									
b.	X Enclosed	:								
	i. X Amendment/Reply iii. X	Information Disclosure Statement (IDS)								
	ii. Affidavit(s)/ Declaration(s) iv.	Other								
2. Mis	scellaneous									
	Suspension of action on the above-identified application is requested									
a. b.	period of months. (Period of suspension shall not exceed 3 mor	nths; Fee under 37 CFR 1.17(i) required)								
_										
3. <u>Fe</u>	The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 who The Director is hereby authorized to charge the following fees, or cre									
a.	Deposit Account No. 19-0036									
	i. RCE fee required under 37 CFR 1 17(e)	27/2004 CCHAU1 00000001 10005876								
		FC:1801 770.00 OP FC:1202 144.00 OP								
	iii. Other									
b.		enclosed								
C.	Payment by credit card (Form PTO-2038 enclosed)									
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.										
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED										
Name (Prin Signature	ntType) Brian J. Del Buono	Registration No. (Attorney/Agent) 42,473 Date 24,0004								
	CERTIFICATE OF MAILING OR TRANS	September 74, 7004								
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.										
Name (Print	/Туре)									
Signature		Date								

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Complete if Known 10/005,876

December 7, 2001

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032

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EE TO A NOMITTAL	
₽EE TRANSMITTAL	Application Number
for FY 2004	Filing Date
Effective 10/01/2003 Patent fees are subject to annual revision	First Named Invento

Jonathan Chesnut ventor **Examiner Name** Ketter, J.S. Applicant claims small entity status. See 37 CFR 1.27 Art Unit 1636

TOTAL AMOUNT OF PAYMENT (\$) 914.00 0942.5340002/RWE/BJD/JKM Attorney Docket No.

METHOD OF PAYMENT (check all that apply)				FE	E CALCULATION (continued)	
☐ Check X Credit card ☐ Money X Other** ☐ None	3. A	3. ADDITIONAL FEES				
*Charge any deficiencies or credit any overpayments in	<u>Large</u> l	Entity	Small	Entity		
Deposit Account: the fees to Deposit Acct. No. 19-0036. Deposit	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	
Account Number 19-0036	1051	130	2051		Surcharge - late filing fee or oath	Fee Paid
Deposit	1052	50	2052		Surcharge - late provisional filing fee or	
Account Name Sterne, Kessler, Goldstein & Fox P.L.L.C.	1053	130	1053	130	cover sheet Non-English specification	
The Director is authorized to: (check all that apply)		2.520	1812		For filing a request for ex parte reexamination	
Charge fee(s) indicated below Credit any overpayments	1804	920*	1804		Requesting publication of SIR prior to	
Charge any additional fee(s) or any underpayment of fee(s)					Examiner action	
Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.	1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
FEE CALCULATION	1251	110	2251	55	Extension for reply within first month	
1. BASIC FILING FEE	1252	420	2252	210	Extension for reply within second month	
Large Entity Small Entity	1253	950	2253	475	Extension for reply within third month	
Fee Fee Fee Fee Description Fee Paid Code (\$) Code (\$)	1254	1,480	2254	740	Extension for reply within fourth month	
1001 770 2001 385 Utility filing fee	1255	2,010	2255	1,005	Extension for reply within fifth month	
1002 340 2002 170 Design filing fee	1401	330	2401	165	Notice of Appeal	
1003 530 2003 265 Plant filing fee	1402	330	2402	165	Filing a brief in support of an appeal	
1004 770 2004 385 Reissue filing fee	1403	290	2403	145	Request for oral hearing	
1005 160 2005 80 Provisional filing fee	1451	1,510	1451	1,510	Petition to institute a public use proceeding	
SUBTOTAL (1) (\$) 0.00	1452	110	2452	55	Petition to revive - unavoidable	
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE	1453	1,330	2453	665	Petition to revive - unintentional	
Fee from	1501	1,330	2501	665	Utility issue fee (or reissue)	
Extra Claims below Fee Paid Total Claims 53 45 = 8 X 18.00 = 144.00	1502	480	2502	240	Design issue fee	
Independent 3 45	1503	640	2503	320	Plant issue fee	
Claims 3 - 3 **= 0 X = 0 Multiple Dependent	1460	130	1460	130	Petitions to the Commissioner	
	1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
Large Entity Small Entity Fee Fee Fee Fee Fee Description	1806	180	1806	180	Submission of Information Disclosure Stmt	——
Code (\$)	8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1202 18 2202 9 Claims in excess of 20 1201 86 2201 43 Independent claims in excess of 3	1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1203 290 2203 145 Multiple dependent claim, if not paid	1810	770	2810	385	For each additional invention to be	
1204 86 2204 43 ** Reissue independent claims over original patent	1801	770	2801	305	examined (37 CFR 1.129(b))	770.00
1205 18 2205 9 ** Reissue claims in excess of 20	1802	900	1802	900	Request for Continued Examination (RCE) Request for expedited examination	7,11,111
and over original patent			I	_	of a design application	
SUBTOTAL (2) (\$) 144.00 Other fee (specify) *Reduced by Basic Filing Fee Paid SUBTOTAL (3) (a)						
**or number previously paid, if greater; For Reissues, see above	Redu	ced by	Rasic I	-iiing F	ee Paid SUBTOTAL (3) (\$)	770.00

SUBMITTED BY (Complete (if applicable)) Registration No. Name (Print/Type) Telephone (202) 371-2600 Brian J. Del Buono 42,473 Signature Date September 24. 2004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

CHESNUT et al.

Appl. No. 10/005,876

Filed: December 7, 2001

For: Methods and Compositions for

Synthesis of Nucleic Acid Molecules Using Multiple

Recognition Sites

Confirmation No.: 7958

Art Unit: 1636

Examiner: Ketter, J.S.

Atty. Docket:

0942.5340002/RWE/BJD/JKM

Mail Stop: RCE

Amendment and Reply Under 37 C.F.R. § 1.111

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Filed concurrently herewith is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 in the above-captioned application. Therefore, in reply to the Final Office Action dated June 29, 2004, Applicants submit the following Amendment and Remarks. It is respectfully believed that entry and consideration of these amendments and remarks is proper under 37 C.F.R. § 1.114, as this submission is being filed prior to payment of the issue fee, abandonment of the application, or filing of a Notice of Appeal to the U.S. Court of Appeals of the Federal Circuit. In accordance with 37 C.F.R. § 1.121, this Amendment is provided in the following format:

- (A) Each section begins on a separate sheet;
- (B) Starting on a separate sheet, a complete listing of all the claims:
 - in ascending order;

- with markings in the currently amended claims; and
- (C) Starting on a separate sheet, the Remarks.

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 19-0036.